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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 MICHAEL STONE

10 Plaintiff,

11 v.

12 GABRIEL P. GUILLERMO, individually; NEW
PRIME, INC., a Foreign Corporation;
13 DOES I through X; inclusive; and ROE
BUSINESS ENTITIES I through X,
14 inclusive,

15 Defendants.
16

CASE NO:

**DEFENDANT NEW PRIME, INC.'S
NOTICE OF REMOVAL**

17 TO: DEBRA KEMPI, Clerk, United States District Court for the District of Nevada

18 PLEASE TAKE NOTICE that Defendant NEW PRIME, INC. hereby removes to this
19 Court the state court action entitled "MICHAEL STONE, Plaintiff v. GABRIEL P.
20 GUILLERMO, individually; NEW PRIME, INC., a Foreign Corporation; DOES I through X;
21 inclusive; and ROE BUSINESS ENTITIES I through X, inclusive," Case No. A-22-848213-C
22 filed in the Eighth Judicial District Court for Clark County, Nevada. A copy of the Complaint is
23 attached hereto as Exhibit A. The grounds for removal are:
24 ...

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1 1. This Court has original subject matter jurisdiction over this action pursuant to 28
2 U.S.C. § 1332 and 28 U.S.C. §§ 1441(a)-(c), in that it is a civil action between Plaintiff, a citizen
3 of Texas, Defendants who are citizens of diverse residency, none of which reside in Texas, and
4 the matter in controversy exceeds \$75,000.00, exclusive of interest and costs, as set forth below.

5 2. Based upon information and belief, Plaintiff MICHAEL STONE is a citizen of
6 the State of Texas. *See* Complaint ¶ 2.

7 3. Defendant GABRIEL P. GUILLERMO is a resident of the State of Nevada.

8 4. Defendant NEW PRIME, INC. is a corporation incorporated in the State of
9 Nebraska, with its principal place of business in Springfield, Missouri.

10 5. The Defendants sued as DOES I through X, inclusive and ROE
11 CORPORATIONS I through XX, inclusive, are fictitious parties and not relevant to the
12 determination of subject matter jurisdiction. *See* 28 U.S.C. § 1441(a) (stating “For purposes of
13 removal under this chapter, the citizenship of defendants sued under fictitious names shall be
14 disregarded”).

15 6. Based upon information and belief, the amount in controversy, exclusive of
16 interest and costs, exceeds \$75,000.00. Upon information and belief, Plaintiff MICHAEL
17 STONE is alleging to have incurred injury to his property, health, person, emotional well-being,
18 and earning capacity. Plaintiff has alleged both past and future damages including medical
19 treatment, lost wages, loss of household services, pain and suffering, and property damage. It is
20 therefore expected that Plaintiff’s medical damages and the amount in controversy exceeds the
21 jurisdictional requirement. *See* Complaint ¶ 10 and 12.

22 ...

23 ...

24 ...

CERTIFICATE OF ELECTRONIC SERVICE

I certify that on the 17th day of March, 2022, service of the above and foregoing
DEFENDANT NEW PRIME, INC.'S NOTICE OF REMOVAL was made by electronically
filing a true and correct copy of the same to each party addressed as follows:

Roland Christensen, Esq.
Caj Boatright, Esq.
Samantha Demuren, Esq.
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- and -

Matthew D. Minucci, Esq.
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